

PRESS RELEASE

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**CONCLUSIONS OF THE MEETING OF THE MINISTERS
RESPONSIBLE FOR IMMIGRATION
(London, 30 November - 1 December 1992)**

- I. The Ministers responsible for Immigration met in London under the chairmanship of Kenneth CLARKE, United Kingdom Home Secretary and with Mr BANGEMANN, Vice President of the Commission, attending.

II. **IMMIGRATION POLICY**

- (a) The Ministers took note of the substantial progress made on the formulation of a draft Resolution on the harmonization of national policies on family reunification. They requested the Ad Hoc Group on Immigration to undertake further work with a view to reaching agreement on a finalised text by the next Ministerial meeting.

The Ministers noted that progress had been made as regards the harmonization of national policies on admission for the purposes of employment; they

requested the Ad Hoc Group on Immigration to complete its work by the next Ministerial meeting.

- (b) The Ministers approved a Recommendation regarding practices followed by Member States on expulsion of people unlawfully present in their territories.

— This Recommendation is based on the practices existing in the Member States and is without prejudice to either Community law or the provisions of international conventions on extradition.

- (c) The Ministers approved a Recommendation on transit for the purposes of expulsion. They asked the Ad Hoc Group on Immigration to undertake further work during the Danish Presidency on the detailed arrangements for facilitating as far as possible the implementation of this Recommendation.

III. ASYLUM

- A. Important decisions were taken, after considering the opinion of the UNHCR, with a view to harmonising asylum policies.

- (a) Resolution on manifestly unfounded applications for asylum *)

The Ministers adopted this Resolution and wanted the possibility to be examined of giving practical effect to its principles in the form of a binding convention.

In this connection, the Ministers reaffirmed their determination, in keeping with their common humanitarian tradition, to guarantee adequate protection to refugees in accordance with the terms of the Geneva Convention of 28 July 1951, as amended by the New York

*) See for text Resolution Annex I:

2. Member States may include within an accelerated procedure (where it exists or is introduced), which need not include full examination at every level of the procedure, those applications which fall within the terms of paragraph 1, although an application need not be included within such procedures if there are national policies providing for its acceptance on other grounds. Member States may also operate admissibility procedures under which applications may be rejected very quickly on objective grounds.

3. Member States will aim to reach initial decisions on applications which fall within the terms of paragraph 1 as soon as possible and at the latest within one month and to complete any appeal or review procedures as soon as possible. Appeal or review procedures may be more simplified than those generally available in the case of other rejected asylum applications.

4. A decision to refuse an asylum application which falls within the terms of paragraph 1 will be taken by a competent authority at the appropriate level fully qualified in asylum or refugee matters. Amongst other procedural guarantees the applicant should be given the opportunity for a personal interview with a qualified official empowered under national law before any final decision is taken.

5. Without prejudice to the provisions of the Dublin Convention, where an application is refused under the terms of paragraph 1 the Member State concerned will ensure that the applicant leaves Community territory, unless he is given permission to enter or remain on other grounds.

No substance to claim to fear persecution

6. Member States may consider under the provisions of paragraph 2 above all applications the terms of which raise no question of refugee status within the terms of the Geneva Convention. This may be because:

- (a) the grounds of the application are outside the scope of the Geneva Convention : the applicant does not invoke fear of persecution based on his belonging to a race, a religion, a nationality, a social group, or on his political opinions, but reasons such as the search for a job or better living conditions;
- (b) the application is totally lacking in substance : the applicant provides no indications that he would be exposed to fear of persecution or his story contains no circumstantial or personal details;
- (c) the application is manifestly lacking in any credibility: his story is inconsistent, contradictory or fundamentally improbable.

7. Member States may consider under the provisions of paragraph 2 above an application for asylum from claimed persecution which is clearly limited to a specific geographical area where effective protection is readily available for that individual in another part of his own country to which it would be reasonable to expect him to go, in accordance with Article 33.1 of the Geneva Convention. When necessary, the Member States will consult each other in the appropriate framework, taking account of information received from UNHCR, on situations which might allow, subject to an individual examination, the application of this paragraph.

8. It is open to an individual Member State to decide in accordance with the conclusions of Immigration Ministers of 1 December 1992 that a country is one in which there is in general terms no serious risk of persecution. In deciding whether a country is one in which there is no serious risk of persecution, the Member States will take into account the elements which are set out in the aforementioned conclusions of Ministers. Member States have the goal to reach common assessment of certain countries that are of particular interest in this context. The Member State will nevertheless consider the individual claims of all applicants from such countries and any specific indications presented by the applicant which might outweigh a general presumption. In the absence of such indications, the application may be considered under the provisions of paragraph 2 above.

Deliberate deception or abuse of asylum procedures

9. Member States may consider under the provisions of paragraph 2 above all applications which are clearly based on deliberate deceit or are an abuse of asylum procedures. Member States may consider under accelerated procedures all cases in which the applicant has, without reasonable explanation:

- (a) based his application on a false identity or on forged or counterfeit documents which he has maintained are genuine when questioned about them;
- (b) deliberately made false representations about his claim, either orally or in writing, after applying for asylum;
- (c) in bad faith destroyed, damaged or disposed of any passport, other document or ticket relevant to his claim, either in order to establish a false identity for the purpose of his asylum application or to make the consideration of his application more difficult;

- (d) deliberately failed to reveal that he has previously lodged an application in one or more countries, particularly when false identities are used;
- (e) having had ample earlier opportunity to submit an asylum application, submitted the application in order to forestall an impending expulsion measure;
- (f) flagrantly failed to comply with substantive obligations imposed by national rules relating to asylum procedures;
- (g) submitted an application in one of the Member States, having had his application previously rejected in another country following an examination comprising adequate procedural guarantees and in accordance with the Geneva Convention on the Status of Refugees. To this effect, contacts between Member States and third countries would, when necessary, be made through UNHCR.

Member States will consult in the appropriate framework when it seems that new situations occur which may justify the implementation of accelerated procedures to them.

10. The factors listed in paragraph 9 are clear indications of bad faith and justify consideration of a case under the procedures described in paragraph 2 above in the absence of a satisfactory explanation for the applicant's behaviour. But they cannot in themselves outweigh a well-founded fear of persecution under Article 1 of the Geneva Convention and none of them carries any greater weight than any other.

Other cases to which accelerated procedures may apply

11. This Resolution does not affect national provisions of Member States for considering under accelerated procedures, where they exist, other cases where an urgent resolution of the claim is necessary, if it is established that the applicant has committed a serious offence in the territory of the Member States, if a case manifestly falls within the situations mentioned in Article 1.F of the 1951 Geneva Convention, or for serious reasons of public security, even where the cases are not manifestly unfounded in accordance with paragraph 1.

Further action

12. Ministers agreed to seek to ensure that their national laws are adapted, if need be, to incorporate the principles of this Resolution as soon as possible, at the latest by 1 January 1995. Member States will from time to time, in co-operation with the Commission and in consultation with UNHCR, review the operation of these procedures and consider whether any additional measures are necessary.

RESOLUTION

on manifestly unfounded applications for asylum

MINISTERS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES
responsible for Immigration, meeting in London on 30 November and
1 December 1992,

HAVING REGARD to the objective, fixed by the European Council
meeting in Strasbourg in December 1989, of the harmonization of
their asylum policies and the work programme agreed at the
meeting at Maastricht in December 1991;

DETERMINED, in keeping with their common humanitarian tradition,
to guarantee adequate protection to refugees in accordance with
the terms of the Geneva Convention of 28 July 1951, as amended by
the New York Protocol of 31 January 1967, relating to the Status
of Refugees;

NOTING that Member States may, in accordance with national
legislation, allow the exceptional stay of aliens for other
compelling reasons outside the terms of the 1951 Geneva
Convention;

REAFFIRMING their commitment to the Dublin Convention of 15 June
1990, which guarantees that all asylum applicants at the border
or on the territory of a Member State will have their claim for
asylum examined and sets out rules for determining which Member
State will be responsible for that examination;

AWARE that a rising number of applicants for asylum in the Member
States are not in genuine need of protection within the Member
States within the terms of the Geneva Convention, and concerned
that such manifestly unfounded applications overload asylum
determination procedures, delay the recognition of refugees in
genuine need of protection and jeopardize the integrity of the
institution of asylum;

INSPIRED by Conclusion No. 30 of the Executive Committee of the United Nations High Commissioner for Refugees;

CONVINCED that their asylum policies should give no encouragement to the misuse of asylum procedures;

MAKE THE FOLLOWING RESOLUTION :

Manifestly unfounded applications

1. (a) An application for asylum shall be regarded as manifestly unfounded because it clearly raises no substantive issue under the Geneva Convention and New York Protocol for one of the following reasons :

- there is clearly no substance to the applicant's claim to fear persecution in his own country (paragraphs 6 to 8) ; or
- the claim is based on deliberate deception or is an abuse of asylum procedures (paragraphs 9 and 10).

(b) Furthermore, without prejudice to the Dublin Convention, an application for asylum may not be subject to determination by a Member State of refugee status under the terms of the Geneva Convention on the Status of Refugees when it falls within the provisions of the Resolution on host third countries adopted by Immigration Ministers meeting in London on 30 November and 1 December 1992.

Protocol of 31 January 1967, relating to the
Status of Refugees.

The Ministers also noted that a rising number of applicants for asylum in the Member States were not in genuine need of protection within the Member States within the terms of the Geneva Convention, and expressed their concern that such manifestly unfounded applications overloaded asylum determination procedures, delayed the recognition of refugees in genuine need of protection and jeopardized the integrity of the institution of asylum.

(b) Resolution concerning host third countries *)

The Ministers adopted this Resolution and expressed the hope that the possibility of these principles being embodied in a binding convention be examined.

The purpose of this Resolution, which sets down for the first time objective criteria for the application of the well-established principle of third host countries, is to meet the concern arising from the problem of refugees and asylum-seekers unlawfully leaving countries where they have already been granted protection or have had a genuine opportunity to seek such protection. By means of this Resolution, the Ministers agreed that a concerted response should be made to this problem, as suggested in Conclusion No. 58 on Protection adopted by the UNHCR Executive Committee at its 40th session (1989).

*) See for text Resolution Annex II.

(c) Countries in which there is generally no serious risk of persecution *)

The Ministers approved the report submitted to them by the Ad Hoc Group. The purpose of this report was to develop this concept in order to assist in establishing a harmonized approach to applications from the nationals of countries which give rise to a high proportion of clearly unfounded applications and to reduce pressure on asylum determination systems that are at present excessively burdened with such applications. This would help to ensure that refugees in genuine need of protection were not kept waiting unnecessarily long for their status to be recognized and to discourage misuse of asylum procedures.

B. Ratification of the Dublin Convention determining the State responsible for examining an application for asylum submitted in one of the Member States of the European Communities and the implementation of that Convention

The Ministers noted that four Member States had gone ahead with ratification.

Those Member States which had not yet ratified the Convention expressed their willingness to speed up the procedures so that this Convention could enter into force as soon as possible during 1993.

The Ministers signified their agreement to the conclusions aimed at implementing Articles 11 and 12 of the Dublin Convention and specifying the conditions for the transfer of asylum-applicants.

*) See for text Conclusions Annex III.

The Ministers took note with satisfaction of the Ad Hoc Group's report on the implementation of the Dublin Convention. They asked the Ad Hoc Group to continue its work on all the questions still unresolved linked to the practical arrangements for implementing the Convention.

C. Other questions concerning asylum

(a) Draft Convention parallel to the Dublin Convention

The Ministers noted that several countries had shown interest in the draft parallel Convention and that copies of the text had been forwarded to them. They noted that it was impossible to begin formal negotiations on accession to the parallel Convention until all the Member States had ratified the Dublin Convention.

(b) Establishment of a European automated fingerprint recognition system (EURODAC)

The Ministers took note of the progress report submitted by the Ad Hoc Group. They asked the Ad Hoc Group to expedite its work in this area.

(c) Centre for information, discussion and exchange on asylum (CIREA)

The Ministers noted with satisfaction that the Centre had held its first meeting. They welcomed the collaboration with Political Cooperation that had been introduced as regards evaluation of the situation in countries of origin, and the decision to

invite the Head of UNHCR Centre for Documentation to address the second meeting of the CIREA.

(d) Manual of European asylum practice

The Ministers approved the Ad Hoc Group's proposal about the production and updating of a European asylum practice manual.

IV. DRAFT CONCLUSIONS

(a) Developments at internal borders

Ministers discussed this issue, and informed each other of their intentions and plans in respect of controls at internal frontiers during the course of 1993.

(b) Draft Convention of the Member States of the European Communities on the crossing of external frontiers

The Ministers took note of the statements by the United Kingdom and Spain on the additional bilateral talks which had been held as part of the effort to resolve the last problem outstanding. They expressed their profound regret that no solution had yet been found and urged the parties concerned to intensify their efforts during the Danish Presidency.

(c) Centre for information, discussion and exchange on the crossing of borders and immigration (CIREFI)

The Ministers took note of the feasibility study on the CIREFI. They approved the establishment of this Centre.

(d) The Ministers took note of the progress made as regards the conclusions with a view to implementing the common visa policy provided for in the Convention on the crossing of external frontiers; they asked the Ad Hoc Group to submit a final text for approval at their next meeting.

(e) The Ministers asked the Ad Hoc Group to continue its discussions on the common list of visas and on transit visas and took note of the progress made as regards the list of visas required of holders of diplomatic or service-passports....

v. REFUGEES FROM FORMER YUGOSLAVIA *)

The Ministers stated that they are in principle willing to admit temporarily, on the basis of proposals made by UNHCR and the ICRC and in accordance with national possibilities and in the context of coordinated action by all the Member States persons from the former Yugoslavia. They agreed to establish a sub-group to consider the situation in the former Yugoslavia as it affected immigration matters.

vi. EUROPEAN INFORMATION SYSTEM

The Ministers noted the progress of the discussions with a view to drawing up a computerized list of non-

*) See for text Conclusions Annex IV.

admissible aliens. They reiterated the importance they attributed to the completion of this project.

VII. FORGED DOCUMENTS

The Ministers welcomed the holding in September 1992 of a training seminar intended for the instructors of staff responsible for examining travel documents.

VIII. CONTACTS WITH THE EUROPEAN PARLIAMENT

(a) The Ministers took note of a statement by the Portuguese Presidency about the contacts which it had had at the last Ministerial meeting with the Chairman of the Committee on Civil Liberties and Internal Affairs.

(b) The Ministers also took note of a statement by Mr CLARKE about the United Kingdom Presidency's contacts with that Committee.

IX. CONTACTS WITH THIRD COUNTRIES

The Minister took note of the Troika's contacts with:

- Canada and the United States
- Austria, Norway, Sweden and Switzerland
- Morocco

X. NEXT MEETING

1 and 2 June 1993 in Copenhagen.

RESOLUTION ON
A HARMONIZED APPROACH TO QUESTIONS
CONCERNING MOST THIRD COUNTRIES

Ministers of the Member States of the European Communities responsible for immigration, meeting in London on 30 November to 1 December 1992;

DETERMINED to achieve the objective of harmonizing asylum policies as it was defined by the Luxembourg European Council in June 1991 and clarified by the Maastricht European Council in December 1991;

TRUE to the principles of the Geneva Convention of 28 July 1951, as amended by the New York Protocol of 31 January 1967, relating to the Status of Refugees and in particular Articles 31 and 33 thereof;

CONCERNED especially at the problem of refugees and asylum seekers unlawfully leaving countries where they have already been granted protection or have had a genuine opportunity to seek such protection and CONVINCED that a concerted response should be made to it, as suggested in Conclusion No. 58 on Protection adopted by the UNHCR Executive Committee at its 40th session (1989);

CONSIDERING the Dublin Convention of 15 June 1990 determining the State Responsible for Examining Applications for Asylum Lodged in one of the Member States of the European Communities, and in particular Article 3(5) thereof, and WISHING to harmonize the principles under which they will act under this provision;

ANXIOUS to ensure effective protection for asylum seekers and refugees who require it;

MAKE THE FOLLOWING RESOLUTION

Procedure for application of the concept of host third country

1. The Resolution on manifestly unfounded applications for asylum, adopted by Ministers meeting in London of 30 November-1 December 1992, refers in paragraph 1(b) to the concept of host third country. The following principles should form the procedural basis for applying the concept of host third country:

- (a) The formal identification of a host third country in principle precedes the substantive examination of the application for asylum and its justification.
- (b) The principle of the host third country is to be .. applied to all applicants for asylum, irrespective of whether or not they may be regarded as refugees.
- (c) Thus, if there is a host third country, the application for refugee status may not be examined and the asylum applicant may be sent to that country.
- (d) If the asylum applicant cannot in practice be sent to a host third country, the provisions of the Dublin Convention will apply.
- (e) Any Member State retains the right, for humanitarian reasons, not to remove the asylum applicant to a host third country.

Cases falling within this concept may be considered under the accelerated procedures provided for in the aforementioned Resolution.

Substantive application : requirements and criteria for establishing whether a country is a host third country

2. Fulfilment of all the following fundamental requirements determines a host third country and should be assessed by the Member State in each individual case:

- (a) In those third countries, the life or freedom of the —asylum applicant must not be threatened, within the meaning of Article 33 of the Geneva Convention.
- (b) The asylum applicant must not be exposed to torture or inhuman or degrading treatment in the third country.
- (c) It must either be the case that the asylum applicant has already been granted protection in the third country or has had an opportunity, at the border or within the territory of the third country, to make contact with that country's authorities in order to seek their protection, before approaching the Member State in which he is applying for asylum, or that there is clear evidence of his admissibility to a third country.
- (d) The asylum applicant must be afforded effective protection in the host third country against refoulement, within the meaning of the Geneva Convention.

If two or more countries fulfil the above conditions, the Member States may expel the asylum applicant to one of those third countries. Member States will take into account, on the basis in particular of the information available from the UNHCR, known practice in the third countries, especially with regard to the principle of non-refoulement before considering sending asylum applicants to them.

Dublin Convention

3. The following principles set out the relationship between the application of the concept of the third host country, in accordance with Article 3(5) of the Dublin Convention, and the procedures under the Convention for determining the Member State responsible for examining an asylum application:

- (a) The Member State in which the application for asylum has been lodged will examine whether or not the principle of the host third country can be applied. If that State decides to apply the principle, it will set in train the procedures necessary for sending the asylum applicant to the host third country before considering whether or not to transfer responsibility for examining the application for asylum to another Member State pursuant to the Dublin Convention.
- (b) A Member State may not decline responsibility for examining an application for asylum, pursuant to the Dublin Convention, by claiming that the requesting Member State should have returned the applicant to a host third country.
- (c) Notwithstanding the above, the Member State responsible for examining the application will retain the right, pursuant to its national laws, to send an applicant for asylum to the host third country.
- (d) The above provisions do not prejudice the application of Article 3(4) and Article 9 of the Dublin Convention by the Member State in which the application for asylum has been lodged.

Future action

4. Ministers agreed to seek to ensure that their national laws are adapted, if need be, and to incorporate the principles of this resolution as soon as possible, at the latest by the time of the entry into force of the Dublin Convention. Member States will from time to time, in co-operation with the Commission and in consultation with UNHCR, review the operation of these procedures and consider whether any additional measures are necessary.

CONCLUSIONS

**on countries in which there is generally
no serious risk of persecution**

1. The resolution on manifestly unfounded applications for asylum (WGI 1282) includes at paragraph 1(a) a reference to the concept of countries in which there is in general terms no serious risk of persecution.

This concept means that it is a country which can be clearly shown, in an objective and verifiable way, normally not to generate refugees or where it can be clearly shown, in an objective and verifiable way, that circumstances which might in the past have justified recourse to the 1951 Geneva Convention have ceased to exist ⁽¹⁾.

Purpose

2. The aim of developing this concept is to assist in establishing a harmonized approach to applications from countries which give rise to a high proportion of clearly unfounded applications and to reduce pressure on asylum determination systems that are at present excessively burdened with such applications. This will help to ensure that refugees in genuine need of protection are not kept waiting unnecessarily long for their status to be recognized and to discourage misuse of asylum procedures. Member States have the goal of reaching common assessment of certain countries that are of particular interest in this context. To this end, Member States will exchange information

⁽¹⁾ Report from Immigration Ministers to the European Council meeting in Maastricht

within an appropriate framework on any national decisions to consider particular countries as ones in which there is generally no serious risk of persecution. In making such assessments, they will use, as a minimum, the elements of assessment laid down in this document.

3. An assessment by an individual Member State of a country as one in which there is generally no serious risk of persecution should not automatically result in the refusal of all asylum applications from its nationals or their exclusion from individualized determination procedures. A Member State may choose to use such an assessment in channelling cases into accelerated procedures as described in paragraph 2 of the resolution on manifestly unfounded applications, agreed by Immigration Ministers at their meeting on 30 November and 1 December 1992. The Member State will nevertheless consider the individual claims of all applicants from such countries and any specific indications presented by the applicant which might outweigh a general presumption.

Elements in the assessment

4. The following elements should be taken together in any assessment of the general risk of persecution in a particular country :

- (a) previous numbers of refugees and recognition rates. It is necessary to look at the recognition rates for asylum applicants from the country in question who have come to Member States in recent years. Obviously, a situation may change and historically low recognition rates need not continue following (for example) a violent coup. But in the absence of any significant change in the country it is reasonable to assume that low recognition rates will continue and that the country tends not to produce refugees.

- (b) observance of human rights. It is necessary to consider the formal obligations undertaken by a country in adhering to international human rights instruments and in its domestic law and how in practice it meets those obligations. The latter is clearly more important and adherence or non-adherence to a particular instrument cannot in itself result in consideration as a country in which there is generally no serious risk of persecution. It should be recognized that a pattern of breaches of human rights may be exclusively linked to a particular group within a country's population or to a particular area of the country. The readiness of the country concerned to allow monitoring by NGO's of their human rights observance is also relevant in judging how seriously a country takes its human rights obligations.
- (c) democratic institutions. The existence of one or more specific institutions cannot be a sine qua non but consideration should be given to democratic processes, elections, political pluralism and freedom of expression and thought. Particular attention should be paid to the availability and effectiveness of legal avenues of protection and redress.
- (d) stability. Taking into account the above mentioned elements, an assessment must be made of the prospect for dramatic change in the immediate future. Any view formed must be reviewed over time in the light of events.

5. Assessments of the risk of persecution in individual countries should be based upon as wide a range of sources of information as possible, including advice and reports from diplomatic missions, international and non-governmental organizations and press reports.

Information from UNHCR has a specific place in this framework. UNHCR forms views of the relative safety of countries of origin both for their own operational purposes and in responding to request for advice. They have access to sources within the UN system and non-governmental organizations.

6. Member States may take into consideration other elements of assessment than those previously mentioned, which will be reviewed from time to time.

CONCLUSION ON PEOPLE DISPLACED BY THE CONFLICT IN THE FORMER YUGOSLAVIA

1. Ministers draw attention to the common position taken by the European Community and its Member States at the Conference organised under the auspices of the United Nations High Commissioner for Refugees in Geneva on 29 July 1992, namely:

- that large scale and permanent movements of people outside the former Yugoslavia are likely to encourage the inhumane and illegal practice of ethnic cleansing by extremists. This practice should not be permitted to undermine attempts to find a just and lasting solution to the problem of the former Yugoslav republic;
- that such a solution will not be assisted by the permanent large scale movements of people outside the boundaries of the former Yugoslavia;
- that, in line with the views of the UN High Commissioner for Refugees, displaced people should be encouraged to stay in the nearest safe areas to their homes, and that aid and assistance from the Member States should be directed towards giving them the confidence and the means to do so;
- that the burden of financing relief activities should be shared more equitably by the international community.

2. Ministers pay tribute to the work of the UN High Commissioner for Refugees in the former Yugoslavia and commit themselves to continue to co-operate with her office and other humanitarian agencies, in particular the International Committee of the Red

Cross, in alleviating the humanitarian aspects in former Yugoslavia. They recognise the growing urgency of the crisis taking into account in particular the effects of the winter.

3. The Community and its Member States have already responded positively to the request of the UN High Commissioner for Refugees to meet the urgent protection and other humanitarian needs of people from the former Yugoslavia who have been compelled to leave their homes in search of safety. Ministers note in particular her request to States to respond by providing protection on a temporary basis to certain vulnerable categories of people within or at their borders who have been forced, by the conflict and violence, to flee from their homes, until such time as they can return safely, and will do their best to meet it.

4. Ministers welcome the fact that in most Member States special arrangements have now been put in place, consistent with national laws and procedures, to meet the special circumstances of those displaced by the conflict in former Yugoslavia. They undertake that they will respect the following guidelines:

- flexible application of visa and entry controls;
- readiness to offer protection on a temporary basis to those nationals of the former Yugoslavia coming direct from combat zones who are within their borders, and who are unable to return to their homes as a direct result of the conflict and human rights abuses;
- commitment not to return to areas in which they would be at risk such nationals of the former Yugoslavia who arrive at their frontiers;
- arrangements to permit individuals to work or to receive social benefits and gain access to

training programmes which will facilitate their return in due course;

- willingness to assist with the evacuation from the former Yugoslavia, in co-operation with UNHCR and the ICRC, of people with special humanitarian needs, within their national possibilities;
- provisions to assist with material assistance in supporting reception centres in the former Yugoslavia.

5. The Ministers state that they are in principle willing to admit temporarily on the basis of proposals made by UNHCR and the ICRC and in accordance with national possibilities and in the context of a co-ordinated action by all the Member States, persons from the former Yugoslavia who:

- have been held in a prisoners-of-war or internment camp and cannot otherwise be saved from a threat to life or limb;
- are injured or seriously ill and for whom medical treatment cannot be obtained locally;
- are under a direct threat to life or limb and whose protection cannot otherwise be secured.

The Ministers call upon the Presidency, in co-operation with UNHCR, to negotiate with other States, to create the necessary conditions to enable these States also to be involved in the reception of nationals of the former Yugoslavia in the context of temporary admission arrangements.

The Ministers have decided to set up a special sub-group under the ad hoc group concerning immigration with the purpose of considering the situation of refugees from the former Yugoslavia. The group will gather information on the legal basis of the different countries in particular their visa policies.

6. They welcome the view of the UN High Commissioner for Refugees that, where such temporary protection has been provided to people fleeing from the former Yugoslavia, States do not necessarily need to provide simultaneous access to individualised asylum procedures.

7. Ministers consider that not all nationals of the former Yugoslavia who travel abroad are necessarily in need of protection and they note the views of the United Nations High Commissioner for Refugees that situations may arise where protection may no longer be required for certain groups of persons while remaining essential for others. They welcome the readiness of the United Nations High Commissioner for Refugees to assist in assessing the continuing need for temporary protection, making full use of her office's presence and contacts throughout the former Yugoslavia. Ministers recognise, in common with the United Nations High Commissioner for Refugees, that practical arrangements and assistance may in due course be necessary to facilitate the return and re-integration of nationals who have been given temporary protection outside the boundaries of the former Yugoslavia. They confirm their willingness to co-operate with the appropriate agencies in the matter of return and re-integration.